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May 20, 2016

Nicoletta Di Forte
Deputy Director for Enforcement
Emergency and Remedial Response Division United States Environmental Protection Agency
Region II
290 Broadway
New York, New York 10007-1866

Re: The Diamond Alkali Superfund Site
Lower 8.3 Miles of Lower Passaic River Study Area
Essex and Hudson Counties, New Jersey
Notice of Potential Liability Under 41 USC §9607(a)

Dear Ms. Di Forte:

This office represents Passaic Pioneer Properties Company ("Passaic Pioneer") identified in your letter of March 31, 2016, regarding USEPA's Notice of Potential Liability Under 42 U.S.C. §9607(a) for the Diamond Alkali Superfund Site, lower 8.3 miles of the Lower Passaic River. Your letter, in part, addresses USEPA's belief that some parties identified as PRPs under CERCLA may be eligible for a cash-out settlement with USEPA for the lower 8.3 miles of the Lower Passaic River. In that regard, you advised of USEPA's intent to provide separate notice of the opportunity to discuss a cash-out settlement at a later date.

The purpose of this letter is to request that Passaic Pioneer be included in those discussions. Without admission of liability under CERCLA, Passaic Pioneer believes it is eligible for *de minimis* treatment.

Very truly yours,

Timothy E. Corrison

TEC/mms

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